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1946.

File No O Gambling 46

BRANCH

Subject:—

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Bombay Prevention of Gambling Act 1887

Opinions under the

File No. O Gambling / 46

Gen. 194 e.

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C O N T E N T S.

Legal Department File No. O Gambling 1946.

Sr. No.	Compilation No.	Subject.	Pages.
	O Gambling 1946.	Opinions under the Bombay Prevention of Gambling Act, 1887.	
	On @ 621. 23-1-1946.	Holding a partly in a room at the turf club at which various games including Roulette are held- Wheter this would offered any provision of law.	1.

N.V.D.
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5c.

NVD 12/7

PHB 12/7

Office of the P.L.A.

It appears that Lady Mody is contemplating holding a party in a room at the Turf Club at which various games including Roulette are to be held in aid of the Victory Thanksgiving Fund. H.E. desires to know whether this would offend any provision of law.

2. Clause (a) of section 12 of the Bombay Prevention of Gambling Act, 1887 provides that a Police Officer may apprehend and search without warrant any person found gaming or reasonably suspected to be gaming in any public street or thoroughfare of in any place to which the public have or are permitted to have access or in any race course. "Race course" though not defined in the Act has been defined in the section 2(b) the Bombay Race-Courses Licensing Act, 1912 as meaning any ground on which a horse race can be held. Clause 3 of the license grahted to the Turf Club under the Bombay Race Courses Licensing Act provides that on any day on which horse-races are being held on the premises within which the race course on which such races are being held, is included the Licensees may work or cause to be worked under their supervision the contrivance known as the totalisator subject to the conditions specified in sub-clauses (a) to (c). It appears clear from these provisions that the race course means the ground or track over which races are run (See Iyer's Law Lexicon, p. 1071). A room at the Turf Club would not be part of the race course although the latter would be included in the premises of the Turf Club. It appears therefore that there would be no legal objection to holding the proposed party in a room at the Turf Club. The view taken by Secretary, H.D. is Correct.

Sd/-
Remembrancer of Legal Affairs.

N.V.D.
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4c.

U.P. to H.D., No. 621, dated the 23rd January 1946.